

voluntary extension of an enlistment, in the Selected Reserve of any reserve component of the Armed Forces after September 30, 1977.”

#### COVERAGE OF PERIOD OF LAPSED AUTHORITY

For provisions relating to coverage of period of lapsed authority from Oct. 1, 1992, to Oct. 23, 1992, for payment of bonuses or other special pay under this section, see section 612(j)(2) of Pub. L. 102-484, set out as a note under section 301b of this title.

#### § 308c. Special pay: bonus for enlistment in the Selected Reserve

(a) Any person who enlists in the Selected Reserve of the Ready Reserve of an armed force for a term of enlistment of not less than six years, is a graduate of a secondary school, and has never previously served in an armed force may be paid a bonus as provided in subsection (b).

(b) The amount and method of payment of a bonus to be paid under subsection (a) shall be determined in accordance with regulations prescribed under subsection (c), except that the amount of such bonus may not exceed \$5,000 and—

(1) an amount not to exceed one-half of the bonus may be paid upon completion of the initial active duty for training of such person; and

(2) the remainder of the bonus may be paid in periodic installments or in a lump sum, as determined by the Secretary concerned.

(c) This section shall be administered under regulations prescribed by the Secretary of Defense for the armed forces under his jurisdiction and by the Secretary of Transportation for the Coast Guard when it is not operating as a service in the Navy.

(d) A member who fails to participate satisfactorily in training with his unit during a term of enlistment for which a bonus has been paid to him under this section shall refund an amount which bears the same ratio to the amount of the bonus which has been paid to him as the unexpired part of such term of enlistment bears to the total length of such term of enlistment.

(e) No bonus may be paid under this section to any enlisted member who, after September 30, 1998, enlists in the Selected Reserve of the Ready Reserve of an armed force.

(f) The total amount of expenditures under this section may not exceed \$37,024,000 during fiscal year 1994.

(Added Pub. L. 95-485, title IV, §404(a), Oct. 20, 1978, 92 Stat. 1614; amended Pub. L. 96-342, title VIII, §805(b), Sept. 8, 1980, 94 Stat. 1095; Pub. L. 97-22, §11(b)(1), July 10, 1981, 95 Stat. 138; Pub. L. 99-145, title VI, §642, Nov. 8, 1985, 99 Stat. 652; Pub. L. 100-180, div. A, title VI, §626(b), Dec. 4, 1987, 101 Stat. 1104; Pub. L. 101-189, div. A, title VI, §§613, 652(b), Nov. 29, 1989, 103 Stat. 1446, 1461; Pub. L. 101-510, div. A, title XIII, §1322(c)(5), Nov. 5, 1990, 104 Stat. 1672; Pub. L. 102-484, div. A, title VI, §612(d), Oct. 23, 1992, 106 Stat. 2421; Pub. L. 103-160, div. A, title VI, §612(b), Nov. 30, 1993, 107 Stat. 1680; Pub. L. 103-337, div. A, title VI, §611(b), Oct. 5, 1994, 108 Stat. 2782; Pub. L. 104-106, div. A, title VI, §611(b), Feb. 10, 1996, 110 Stat. 359; Pub. L. 104-201, div. A, title VI, §611(c), Sept. 23, 1996, 110 Stat. 2543.)

#### AMENDMENTS

1996—Subsec. (e). Pub. L. 104-201 substituted “September 30, 1998” for “September 30, 1997”.

Pub. L. 104-106 substituted “September 30, 1997” for “September 30, 1996”.

1994—Subsec. (e). Pub. L. 103-337 substituted “September 30, 1996” for “September 30, 1995”.

1993—Subsec. (b). Pub. L. 103-160, §612(b)(1), substituted “\$5,000” for “\$2,000” in introductory provisions and “an amount not to exceed one-half of the bonus may be paid” for “one-half of the bonus shall be paid” in par. (1).

Subsec. (e). Pub. L. 103-160, §612(b)(2), substituted “September 30, 1995” for “September 30, 1993”.

Subsec. (f). Pub. L. 103-160, §612(b)(3), added subsec. (f).

1992—Subsec. (e). Pub. L. 102-484 substituted “September 30, 1993” for “September 30, 1992”.

1990—Subsecs. (e), (f). Pub. L. 101-510 redesignated subsec. (f) as (e) and struck out former subsec. (e) which read as follows: “The Secretary of Defense shall submit a report to the Congress every three months stating the number of members of the Selected Reserve of the Ready Reserve who at the time of such report are serving a term of enlistment for which a bonus has been paid under this section and listing each unit of the Selected Reserve of the Ready Reserve to which any such member is assigned at the time of such report.”

1989—Subsec. (a). Pub. L. 101-189, §652(b)(2), struck out “, after September 30, 1978,” after “Any person who”.

Subsec. (e). Pub. L. 101-189, §652(b)(1), struck out at end “The first such report shall be made not later than December 31, 1978.”

Subsec. (f). Pub. L. 101-189, §613, substituted “September 30, 1992” for “September 30, 1990”.

1987—Subsec. (f). Pub. L. 100-180 substituted “September 30, 1990” for “September 30, 1987”.

1985—Subsec. (f). Pub. L. 99-145 substituted “September 30, 1987” for “September 30, 1985”.

1981—Subsec. (e). Pub. L. 97-22 substituted “Secretary of Defense” for “Secretary of defense”.

1980—Subsec. (f). Pub. L. 96-342 substituted “September 30, 1985” for “September 30, 1980”.

#### EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-160 effective as of Sept. 30, 1993, and applicable with respect to an enlistment, reenlistment, or extension of an enlistment described in this section or section 308b, 308h, or 308i of this title occurring on or after that date, see section 612(f) of Pub. L. 103-160, set out as a note under section 308b of this title.

#### COVERAGE OF PERIOD OF LAPSED AUTHORITY

For provisions relating to coverage of period of lapsed authority from Oct. 1, 1992, to Oct. 23, 1992, for payment of bonuses or other special pay under this section, see section 612(j)(2) of Pub. L. 102-484, set out as a note under section 301b of this title.

#### § 308d. Special pay: enlisted members of the Selected Reserve assigned to certain high priority units

(a) Under regulations prescribed by the Secretary of Defense, an enlisted member who is assigned to a high priority unit of the Selected Reserve of the Ready Reserve of an armed force, as designated under subsection (b), and who performs inactive duty for training for compensation under section 206 of this title with such unit may be paid compensation, in addition to the compensation to which the member is otherwise entitled, in an amount not to exceed \$10 for each regular period of instruction, or period of

appropriate duty, at which the member is engaged for at least four hours, including any such instruction or duty performed on a Sunday or holiday.

(b) The Secretary concerned may designate a unit, for the purposes of subsection (a) and under such terms and conditions as the Secretary considers appropriate, as a high priority unit if that unit has experienced, or reasonably might be expected to experience, critical personnel shortages. The Secretary may vacate a designation made under this subsection at any time he considers the designation no longer necessary.

(c) Additional compensation may not be paid under this section for inactive duty performed after September 30, 1998.

(Added Pub. L. 101-189, div. A, title V, § 505(a)(1), Nov. 29, 1989, 103 Stat. 1437; amended Pub. L. 102-190, div. A, title VI, § 612(b)(1), Dec. 5, 1991, 105 Stat. 1376; Pub. L. 102-484, div. A, title VI, § 612(e), Oct. 23, 1992, 106 Stat. 2421; Pub. L. 103-160, div. A, title VI, § 613(d), Nov. 30, 1993, 107 Stat. 1681; Pub. L. 103-337, div. A, title VI, § 613(d), Oct. 5, 1994, 108 Stat. 2783; Pub. L. 104-106, div. A, title VI, § 613(d), Feb. 10, 1996, 110 Stat. 359; Pub. L. 104-201, div. A, title VI, § 611(d), Sept. 23, 1996, 110 Stat. 2543.)

#### PRIOR PROVISIONS

A prior section 308d, added Pub. L. 96-342, title VIII, § 805(a)(1), Sept. 8, 1980, 94 Stat. 1092, related to special pay and to a bonus for enlistment, reenlistment, or extension of enlistment in elements of the Ready Reserve other than the Selected Reserve, prior to repeal by Pub. L. 98-94, title X, § 1011(b)(1), Sept. 24, 1983, 97 Stat. 664, effective Oct. 1, 1983. See sections 308g and 308h of this title.

#### AMENDMENTS

1996—Subsec. (c). Pub. L. 104-201 substituted “September 30, 1998” for “September 30, 1997”.

Pub. L. 104-106 substituted “September 30, 1997” for “September 30, 1996”.

1994—Subsec. (c). Pub. L. 103-337 substituted “September 30, 1996” for “September 30, 1995”.

1993—Subsec. (c). Pub. L. 103-160 substituted “September 30, 1995” for “September 30, 1993”.

1992—Subsec. (c). Pub. L. 102-484 substituted “September 30, 1993” for “September 30, 1992”.

1991—Subsec. (c). Pub. L. 102-190 substituted “1992” for “1991”.

#### EFFECTIVE DATE OF 1993 AMENDMENT

Section 613(h)(2) of Pub. L. 103-160 provided that: “The amendment made by subsection (d) [amending this section] shall take effect as of September 30, 1993, and shall apply with respect to inactive duty for training performed after that date for which special pay is authorized under section 308d of title 37, United States Code.”

#### EFFECTIVE DATE OF 1992 AMENDMENT

Section 612(j)(1) of Pub. L. 102-484 provided that: “The amendment made by subsection (e) [amending this section] shall take effect as of September 30, 1992, and shall apply with respect to inactive duty for training performed after that date for which special pay is authorized under section 308d of title 37, United States Code.”

#### EFFECTIVE DATE OF 1991 AMENDMENT

Section 612(b)(2) of Pub. L. 102-190 provided that: “The amendment made by paragraph (1) [amending this

section] shall take effect as of September 30, 1991, and shall apply with respect to inactive duty for training performed after that date for which special pay is authorized under section 308d of such title.”

#### REPORT TO CONGRESS

Section 505(b) of Pub. L. 101-189 directed Secretary of Defense, not later than May 1, 1991, to submit to Congress a report on the administration of the special pay program provided for in 37 U.S.C. 308d.

#### § 308e. Special pay: bonus for reserve affiliation agreement

(a) Under regulations prescribed by the Secretary of Defense, the Secretary of a military department may pay a bonus for reserve affiliation to any person—

(1) who—

(A) is serving on active duty, has 180 days or less remaining of his active duty obligation, and upon discharge or release from active duty upon the completion of such active duty obligation will have a reserve service obligation under section 651 of title 10 or under section 6(d)(1) of the Military Selective Service Act (50 U.S.C. App. 456(d)(1)); or

(B) has served on active duty for any period of time, was discharged or released from such active duty under honorable conditions, and is serving a period of reserve service obligation under section 651 of title 10 or section 6(d)(1) of the Military Selective Service Act (50 U.S.C. App. 456(d)(1)); and

(2) who meets the requirements of subsection (b).

(b) To be eligible to receive a bonus for reserve affiliation under this section, a person must—

(1) be eligible for reenlistment or for an extension of his active duty service;

(2) have completed satisfactorily any term of enlistment or period of obligated active duty service;

(3) hold and be qualified in a military specialty designated by the Secretary of Defense for the purposes of this section;

(4) have a grade for which there is a vacancy in the reserve component in which the person is to become a member;

(5) not be affiliating in a reserve component to become a Reserve, Army National Guard, or Air National Guard technician;

(6) enter into a written agreement with the Secretary concerned to serve as a member of the Selected Reserve of the Ready Reserve of an armed force for the period of obligated reserve service such person has remaining or, if such person is on active duty, will have remaining at the time of his discharge or release from active duty; and

(7) meet all the other requirements for becoming a member of the Selected Reserve of the Ready Reserve of an armed force.

(c)(1) The amount of the bonus paid to any person under this section shall be an amount determined by multiplying up to \$50 as determined by the Secretary concerned times the number of months of reserve obligation such person has remaining or, if such person is on active duty, will have remaining at the time of his discharge or release from active duty.